



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF ELECTRICAL EXAMINERS

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Board of Electrical Examiners
MEETING DATE AND TIME:	Wednesday, May 7, 2014 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware FIRST FLOOR PSC CONFERENCE ROOM Cannon Building
MINUTES APPROVED:	June 4, 2014

MEMBERS PRESENT

Daniel Creedon, President, Professional Member
Bobby Murrian, Vice-President, Professional Member
Michael Travers, Continued Education, Professional Member
Robert MacLennan, Professional Member
Frank Beebe, Public Member
Richard Millar, Public Member
Thomas Hartley, Complaint Officer, Professional Member
Nathan Schreppler, Board Secretary, Public Member

ABSENT

William Poore, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Maggie Strauss, Administrative Specialist II
Jeff Ford, Investigative Supervisor

OTHERS PRESENT

Chester Kelly	Stan Siegfried
Eric Jams	Craig Cumpstar
Robert Grove	Frank Tyler
Jeff Deats	Arthur E. Rodgers
Ken Cross	Michael Denby
Mark Kondelis, Sr.	John Martin II
Stuart Linder	Jack Schreppler

CALL TO ORDER

Mr. Creedon called the meeting to order at 9:05am.

REVIEW OF MINUTES

A motion was made by Mr. Creedon, second by Mr. MacLennan, to approve the meeting minutes from April 2, 2014. The motion was unanimously carried.

Unfinished Business

Propose To Deny Hearing of John J. Martin II

Mr. Maloney called the hearing to order at 9:07a and stated that today's hearing was a result of the Board's proposal to deny the Journeyman application of John J. Martin II.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Martin had prior convictions related to the profession of electrical services under 17.1.2 of the Rules and Regulations. Mr. Maloney introduced board's exhibit #1 as the application, documents, and correspondence letters related to today's hearing. Mr. Martin was sworn in.

Mr. Martin testified that the conviction in question happened 17 years ago. He was out with a friend and they got into an altercation that required police intervention. That charge and resulting conviction is the only legal trouble he has had in his life. Mr. Martin further went on to state that he has completed all of the terms of his sentencing, and has been working in the electrical field for the past 8 years. He is respectfully asking the Board for their consideration in his case, and to kindly approve his license so that he can begin electrical work in Delaware.

The Board went into deliberations at 9:13a. Based on the length of time that has passed since the conviction and that Mr. Martin has not been in any other legal trouble since, the majority agreed that he deserved a waiver.

A motion was made by Mr. MacLennan, second by Mr. Travers to approve the Journeyman application of John J. Martin II. The motion carried unanimously.

The hearing went off record and adjourned at 09:15a.

Propose To Deny Hearing of Micheal J. Denby

Mr. Maloney called the hearing to order at 9:17a and stated that today's hearing was a result of the Board's proposal to deny the Journeyman application of Micheal J. Denby.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Denby had prior convictions related to the profession of electrical services under 17.1.22 and 17.1.23 of the Rules and Regulations. Mr. Maloney introduced board's exhibit #1 as the application, documents, and correspondence letters related to today's hearing, and confirmed that Mr. Denby had waived his right to 20 days prior notice of hearing. Mr. Denby was sworn in.

Mr. Denby testified that he had not been in any trouble before, or after, his 2005 convictions. He indicated that he got "mixed up with the wrong people" and the resulting conviction he considers a lesson learned. A family member once told him "You are the company you keep. Be a leader, not a follower" and that he tries to stay true to that statement today. Mr. Denby stated that he wants to support his family with an honest day's work, and that he enjoys the electrical trade very much. He is respectfully asking that the Board approve his application for licensure.

Mr. Creedon verified that there were no pending issues related to his conviction, to which Mr. Denby indicated there was not, he had completed his sentencing. Mr. Hartley inquired about his current employer, and was concerned that the application indicated he has been doing electrical work for about 8 years without a license? Mr. Denby replied that he just found out he needed to be licensed to continue in the trade, but that he has always worked under the supervision of a master electrician. Mr. MacLennan inquired about any possible apprenticeship programs completed by the applicant. Mr. Denby stated that he completed 3 years of the program at Polytech, but did not complete the last year because he decided on another career path at that time. Now that some years have passed, he would like to refocus on the electrical profession.

The Board went into deliberations at 9:30a. Mr. MacLennan stated that his current employer could sponsor him so that he could finish his apprenticeship. Mr. Hartley, Mr. MacLennan and Mr. Beebe all agreed that 1 or 2 character witnesses and a few letters of character reference would be beneficial considering the convictions.

A motion was made by Mr. MacLennan, second by Mr. Schreppler to continue Mr. Denby's hearing until June 4, 2014 to allow him to gather witnesses and letters for review and consideration by the Board. The motion carried unanimously.

Mr. Hartley also advised Mr. Denby to enroll as soon as possible in an apprenticeship program and then submit an application for the correlating license here at the division immediately so that he could continue to work in the trade legally.

The hearing went off record and adjourned at 09:45a.

Re-Review of Applications

A motion was made by Mr. MacLennan, second by Mr. Murrin to propose to deny the Journeyman application of Richard Rothenberger for lack of proof of experience. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrin to give final denial of the Journeyman application of Byard Widdoes for lack of response to a hearing request. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrin to approve the Journeyman application of Clyde E. Walton. The motion was unanimously carried.

Signing of Orders

The Board signed the final orders of: Mark Abbott, Jr., Matthew J. O'Grady and Norman Mickens.

New Business

Review of Examination Applications

A motion was made by Mr. MacLennan, second by Mr. Murrin to approve the applications of Michael J. Shatzer, Jeffrey T. Mitschke, Robert B. Dryden and Carl E. Force to sit for the Master Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrin to approve the applications of Edward J. Tyers, George W. Koestel, Jr., Chester E. Armes, David A. Klapproth, Micah A. Nelson, Kenneth L. Emmons, Barry L. Figgs, Sr. and Tracey L. Johnson to sit for the Journeyman Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Murrian to table the applications of Randy L. French and Roland D. Brooks for proof of experience. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Mr. Schreppler, second by Mr. Beebe to approve the Master Electrician applications of Nicholas A. Meyers and Barry Williams. The motion was unanimously carried.

Ratification of Applications

A motion was made by Mr. MacLennan, second by Mr. Schreppler to approve the ratification of Apprentice Electrician applications of: Daniel Phillip Courtemanche, Phillip D. Gallo, Connor G. Gray, Zachary R. Hagan, Willie R. Hughes, III, Wyatt Jackson, Kevin J. James, Stephen J. Knorr, Jeffrey D. McGinnis, Jason Benjamin Mercer, Justin Ray Parsons, Donald Robert Peterman, Ryan Michael Peterman, Marcus A. Rice, Jeriel M. Righter, Steven K Rishell, Bisham D. Sataran, Gregory S. Seiverd, Jr., Christopher J. Victor, Reginald H. Victor, Jack Thomas Wolf, Gregory W. Yazidjian, Camry J. Wilson, Brandon L. Walter, Kyle M. Taylor, Dylan M. Shahan, Stephen C. Silan, Frank L. Schaffer, Maria R. Rogers, Michael P. Robinson, Erik M. Palmer, Clinton W. Mills, Jacob S. Jones, George L. Jones, Antonio R. Davila, Dustin B. Dowlin, Nicholas M. Cresto, Ryan J. Cooke, Robert M. Campbell, Grant M. Busey, Philip B. Spear, Damien L. Pike and Larry D. Tymes. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Millar to approve the ratification of Journeyperson Electrician applications of: Bryan D. Baker, William M. Ciesielski, Virgil F. Davis Nicholas P. DeSilvio, Steven M. Douglass, Dean Garancheski, Brian Walter Mathiesen, Salvatore J. Midure, David W. Stevens, Jr., Steven M. Wendt, Stephen Whaley, Jr., John Henry Woodrum, Jason M. Collison, Clifton R. Trieschman and Ronald Leonard, Jr. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve the ratification of Master Electrician applications of: Bobby L. Browning, Robert O. Cates, Abraham A. Chelsvig, David F. Grubowski, Joseph M. Losito, Darryl T Malone, William K Ridge and Richard A. Yates. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve the ratification of Master Electrician Special-Elevator applications of: James B. Worley. The motion was unanimously carried.

Applications for Review – Deputy Attorney General

A motion was made by Mr. MacLennan, second by Mr. Travers, to approve the Journeyperson applications of Mark Spence, Jerome Lidinsky and Kenyon Lee, as well as the Apprentice application of Roger Joiner. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Travers, to propose to deny the Journeyperson Electrician applications of Sean P. Cape for having been convicted of crimes substantially related to the profession of electrical services. The motion was unanimously carried.

Review of Homeowners Permit Rule

Ms. Strauss asked for confirmation from the Board that applicants can submit a homeowner's permit for *any* type of electrical work being done by the homeowner, with the exception of pools and spas/hot tubs. The Board members confirmed that yes, with the exception of the aforementioned; they can perform any type of electrical work after they receive the permit but must call for an inspection. Ms. Strauss indicated that she would relay this information to her coworkers.

Complaints Status

01-02-12 - Attorney General
01-18-12 - Attorney General
01-25-12 - Attorney General
01-08-13 – Assigned
01-09-13 - Attorney General
01-12-13 - Attorney General
01-17-13 – Assigned
01-21-13 – Assigned
01-22-13 – Assigned
01-23-13 – Assigned
01-01-14 – Assigned
01-06-14 – Attorney General
01-09-14 – Attorney General
01-10-14 – Closed
01-11-14 – Attorney General
01-12-14 – Assigned
01-13-14 – Attorney General
01-14-14 – Assigned

Continued Education

A motion was made by Mr. Creedon, second by Mr. MacLennan, to approve the requested continuing education courses as follows, and the motion was unanimously carried:

George V. Landing

- (a) A Purview of the 2014 NEC Part 2; Chapters 5-9 – 5 hours

National Code Seminars

- (a) Introduction to the 2014 NEC – 10 hours

Mike Holt Enterprises

- (a) 2014 Grounding vs. Bonding – 8 hours

New Castle County VoTech - **Pending receipt of instructor's résumé**

- (a) Electrical Apprenticeship I – 5 hours
- (b) Electrical Apprenticeship II – 5 hours
- (c) Electrical Apprenticeship III – 5 hours
- (d) Electrical Apprenticeship IV – 5 hours

Diamond Electric/Mike Bishop

- (a) Heartsaver CPR & AED – 4 hours

Imagine Solar – **DENIED; incomplete application**

- (a) ~~PV320e: Advanced PV System Design & NABCEP Prep – 60 hrs~~

Chester Joint Apprentice & Training Committee, IBEW 654

- (a) Significant Changes to the NEC 2011 part I – 5 hours
- (a) Significant Changes to the NEC 2011 part II – 5 hours
- (b) Significant Changes to the NEC 2011 part III – 5 hours

IBEW Local 743 JATC

- (a) Built-Rite PSM Recertification – 3 hours
- (b) Basic Life Support for Electricians – 4 hours
- (c) Basic First Aid for Electricians – 4 hours
- (d) Significant Changes to the NEC 2014 – 8 hours - ****pending timed outline****

Electric Education Center, LLC - **pending receipt of timed outline******

- (a) Optional Standby Systems – Generators – 8 hours
- (b) 2014 NEC Code Changes – 16 hours

Review & Discussion of Recommendations of Hearing Officer

After discussion of the Hearing Officer Recommendation for Robert Giampietro, a motion was made by Mr. MacLennan, second by Mr. Murrian to accept the recommendation as written. The motion carried unanimously.

Review of Rules and Regulations

Ms. Strauss asked for guidance on interpreting regulation 2.3 as it references an applicant's ability to take the exam. She stated that the rule only indicates what timeline is in place if an applicant does not take the exam, but no timeline is provided for those that do take the exam once approved. Mr. MacLennan stated that once approved, the applicant can take the exam as often and as many times as he would like, as long as he scores above 50% (in accordance with reg. 4.2). Mr. Hartley suggested that the Board consider making the timeline for those to test and pass a smaller window than "forever" and that Mr. Maloney include this information in the current rules & regulations indicating "approval good for _____ years".

Review of Crimes List

The Board discussed the list of crimes from the Board of Medical Licensure and Discipline. Due to the extensive nature of that list, the 3 members of the Board: Mr. Schreppler, Mr. Hartley and Mr. MacLennan have decided that they will independently review the lists, under the legal guidance of Mr. Maloney, and present the crimes they feel should be considered as additions to the other Board members at the June meeting. The Board agreed that this would be a more effective means of adding more substantially similar crimes to the already present list.

Review of Proposed Statute Changes

- Presentation from Artesian Resources Corporation

Mr. (Jack) Schreppler introduced himself to the Board as the legal representative for Artesian Water. He was here today to provide information on an amendment to HB172 that is being sponsored by Representative Mulrooney. Mr. Schreppler went on to explain to the Board that his company was not trying to circumvent any current regulations or statute, just provide a provision for those employed within the company to perform electrical work to maintain the plant and services in the same manner other utilities are now permitted under current law. A description of job training and requirements for employees was provided for all Board members to review. Mr. Schreppler again indicated that they only want to amend §1419(a)(4) to include water or wastewater utilities.

Mr. Hartley voiced his concern over how to regulate and enforce the law to differentiate between regulated water wells and, for example, a municipality that has a water tower. Mr. MacLennan

and Mr. Creedon agreed that any amendments should be as specific as possible to prevent any unlicensed activity.

Mr. Schreppler indicated he had no problems changing the verbiage to specifically state water utilities that are regulated by DPSC. The Board agreed that would be acceptable.

****Mr. Creedon recessed the meeting at 10:43a. The meeting reconvened at 10:52a.****

- House Bill 172 Amendment Proposal from Robert Overmiller

Mr. Creedon read correspondence from Mr. Overmiller indicating an amendment to §1408(a)(5), Title 24 of the DE Code was needed. He would like the verbiage to specifically reflect DOL approved apprenticeships. The Board had no objections, other than to include “Electrical” apprenticeships specifically.

Review of Testing Services

The Board reviewed information regarding the types of exams available from Prometric and how they correspond to the license types provided by the Division, as authorized by the Board. Due to the limited number of active specialty licenses, the Board will consider no longer offering them. Ms. Strauss will do more research into tests available from other companies, as well as when the specialty license types were created and why.

Ms. Strauss also provided the Board with the updated examination dates for the electrical applicants. The new dates are: June 28th and November 8th. They are the only 2 dates available to take the exam in Delaware for 2014.

CORRESPONDENCE

Mr. Creedon read a letter from Mr. O'Day who was inquiring about the requirements for licensure of his employees performing maintenance work on company buildings only.

OTHER BUSINESS BEFORE THE BOARD

PUBLIC COMMENT

A public attendee addressed the Board over his concerns regarding complaints for unlicensed practice, disciplinary actions and fines. He stated that there was no deterrent for any wrongdoing because of the length of time and the small fines people are required to pay, and that maybe the Board should consider raising the applicable fine. Mr., Maloney indicated that the statute has a maximum allowable fine, but that it could be changed at the Board's discretion. The audience suggested that perhaps the Board should fine violators the maximum, rather than the usual smaller fine. The Board took this into consideration.

Mr. Ford addressed the Board concerns for the turn-around-time on formal complaints. He indicated that each complaint is taken very seriously and each one, no matter the profession, is handled as promptly as possible.

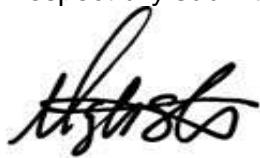
NEXT SCHEDULED MEETING

The next scheduled meeting will be held on June 4, 2014 at 08:30 Cannon Building 861 Silver Lake Boulevard, Dover, Delaware, Conference Room A, 2nd floor.

ADJOURNMENT

A motion was made by Mr. Beebe, seconded by Mr. MacLennan, to adjourn the meeting at 12:09p. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maggie Strauss', with a stylized, cursive script.

Maggie Strauss
Administrative Specialist II